

COLUMBIA UNIVERSITY

IN THE CITY OF NEW YORK

DEPARTMENT OF HISTORY

July 18, 2018

Hon. Jesse Furman
Thurgood Marshall Courthouse
40 Foley Square
New York New York 10007

Dear Judge Furman:

I write to share with you some background and family history regarding my younger brother, David Carlebach. It is my hope that when you read about many life challenges that he has met with grace and incredible hard work over many decades, that you will understand why I am imploring you to consider leniency in your sentencing. This is the first time in his life, to the best of my knowledge, that he has ever crossed any legal line or violated the law or showed indifference to it.

I am the eldest child and my brother David is the fifth, of seven siblings. There are only five years age difference between us—our mother bore her first five children within five years. She was, I am told, an extremely idealistic person as young woman. She married my father, a Holocaust survivor, and together they were determined to build a large family to commemorate and replace the lives that my father had lost. We are named for his murdered parents and siblings. We grew up in a home that was bereft of any material privileges—my five brothers shared one bedroom; my sister and I another. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] New York, NY 10027 [REDACTED]

[REDACTED]

Nothing was ever handed to David "on a silver platter." After years of religious schooling, he put himself through college and then law school. He build a practice and was extremely devoted to his clients. Unfortunately, David has had a difficult family life. His wife is unable to give him any emotional support or partnership. She never even inquired about him during the months of his incarceration. (She never worked outside the home and cannot contribute financially). [REDACTED]

[REDACTED]

[REDACTED] David accepted this with grace. I never once heard him complain of the added financial burden, added to the ordinary high cost of raising a family of four children, [REDACTED]

[REDACTED]

David worked endless hours to try to provide for his family's needs over the past decades. Countless times I called him late in the evening at eleven, midnight, and he was still

answering his office phone, not having been done the day's work. Early every morning he was back there.

Despite the personal pressures on him, David has always gone beyond the call of duty in assisting others. He is the first to respond when a family member needed any type of assistance, always ready to do legal work for friends and family members as well as for communal good, pro bono. He did the legal work for me twice when I bought and sold a home, never asking for any compensation. He was similarly helpful to siblings and other relatives. He served as a cantor for the High Holy Days in my husband's congregation for over ten years running. This involved walking several miles each way for each prayer service, including while fasting on Yom Kippur, leading the service for about 150 people. This prayer service is a "community service." As many of the congregants were elderly or students, there was no charge for joining, but we could not pay David for leading. He never requested or received any compensation for this work over the many years he did this, and I know we are not the only synagogue in which his sweet voice carried the day.

David goes out of his way to show love and concern for our elderly parents. He is probably unaware of how deeply my father suffered during the months in which he was away. My father is 93 years old, fighting cancer, losing his remaining eyesight—but I never saw him cry until we told him that David was in Rikers Island and facing more time after pleading guilty. His anguish over this development is etched on his face. My mother now has mild dementia and is mostly housebound. David's first visit was to them, and he is there now as often as he can be, sometimes sleeping over with them, trying to assure them that he will be OK.

When I first heard the charges against David, I was in a state of disbelief. The facts simply didn't align with everything I knew about David. None of this made (or makes) any sense. The person who is described as having committed the deeds that led to his current troubles is not the person I recognize as my brother of close to 60 years. Something has clearly snapped, pressuring a giving and supportive person into becoming one who has lapsed from his own standard of honorable conduct.

I am confident that he will use his remaining years to benefit others in his family and in the larger community and that no social benefit will accrue to extending his incarceration beyond the minimum that is mandated.

I implore you to show humanity and leniency in his sentencing, to the extent within your power. Heartfelt thanks for your willingness to read and understand about a person whose fate is in your hands.

Yours sincerely,

A handwritten signature in cursive script that reads "Elisheva Carlebach".

Elisheva Carlebach
Baron Professor of History
Columbia University

(My affiliation noted for identification purposes).